

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SERGIO ALVAREZ,

Plaintiff,

v.

DWIGHT WINSLOW, et al.,

Defendants.

) No. C 04-1198 SBA (pr)

) **ORDER GRANTING PLAINTIFF'S**
) **REQUEST FOR EXTENSION OF**
) **TIME TO FILE A RESPONSE TO**
) **DEFENDANTS' MOTION FOR**
) **SUMMARY JUDGMENT AND**
) **DENYING OTHER REQUESTS FOR**
) **EXTENSIONS AS UNNECESSARY**

) (Docket nos. 17, 18, 25, 34)

Plaintiff has filed a request for an extension of time in which to file his response to Defendants' Motion for Summary Judgment (docket no. 34) on the grounds that he has no access to his legal documents because they were confiscated. However, Plaintiff indicated that he appealed the confiscation of his legal materials, which should lead to the return of his legal documents and notes. Having read and considered Plaintiff's request and the accompanying declaration filed by Plaintiff, and good cause appearing,

IT IS HEREBY ORDERED that Plaintiff's request for an extension of time is GRANTED. The time in which Plaintiff may file his response to Defendants' Motion for Summary Judgment will be extended *nunc pro tunc* to March 16, 2005, the date that Plaintiff's declaration in opposition to Defendants' dispositive motion was filed.

Plaintiff has also filed previous requests for an extension of time in which to file his response to Defendants' Answer. Once Defendants file an Answer, Plaintiff need not file any response thereto. Therefore, Plaintiff's requests (docket nos. 17, 18, 25) are DENIED as UNNECESSARY.

IT IS SO ORDERED.

DATED: 8/26/05


SAUNDRA BROWN ARMSSTRONG
United States District Judge

United States District Court
For the Northern District of California

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